

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF VIRGINIA
CRIMINAL MINUTES - TRIAL

Case No. 7:08CR54 At ROANOKE Date 12/11/09

PRESENT: HON James C. Turk, JUDGE C. Patrick Hogeboom, III
S. Sakalas Judy Webb John Richmond, Cindy Chung
Deputy Clerk Court Reporter Asst. U.S. Attorney

U.S.A. v. (DEFENDANTS LISTED BELOW)				ATTORNEYS FOR DEFENDANTS				
(1) <u>William A. White</u>	<input checked="" type="checkbox"/> present	<input checked="" type="checkbox"/> custody	<input type="checkbox"/> bond	<input type="checkbox"/> O/R	(1) <u>David Damico, Raphael Ferris</u>	<input checked="" type="checkbox"/> present	<input type="checkbox"/> apptd.	<input checked="" type="checkbox"/> retained
(2)	<input type="checkbox"/> present	<input type="checkbox"/> custody	<input type="checkbox"/> bond	<input type="checkbox"/> O/R	(2)	<input type="checkbox"/> present	<input type="checkbox"/> apptd.	<input type="checkbox"/> retained
(3)	<input type="checkbox"/> present	<input type="checkbox"/> custody	<input type="checkbox"/> bond	<input type="checkbox"/> O/R	(3)	<input type="checkbox"/> present	<input type="checkbox"/> apptd.	<input type="checkbox"/> retained
(4)	<input type="checkbox"/> present	<input type="checkbox"/> custody	<input type="checkbox"/> bond	<input type="checkbox"/> O/R	(4)	<input type="checkbox"/> present	<input type="checkbox"/> apptd.	<input type="checkbox"/> retained
	<input type="checkbox"/> present	<input type="checkbox"/> custody	<input type="checkbox"/> bond	<input type="checkbox"/> O/R		<input type="checkbox"/> present	<input type="checkbox"/> apptd.	<input type="checkbox"/> retained

☐ Case called and continued to _____ for trial.

☐ JURY TRIAL. The Jury impaneled and sworn (see attached list) ☐ COURT TRIAL

☒ Introduction of evidence for Government begun ☐ concluded; ☒ Continued

☐ Motion for judgment of acquittal ☐ granted ☐ denied ☐ under advisement

☐ Introduction of evidence for defendant begun, ☐ concluded;

☐ Motion for judgment of acquittal renewed ☐ granted ☐ denied ☐ under advisement

☐ Rebuttal evidence; ☐ Surrebuttal evidence; ☐ Evidence concluded

☒ Case continued to Dec. 14, 2009 at 9:00 for further trial

☐ Closing Arguments ☐ Jury charged by court

☐ Jury retires to deliberate at _____ jury returns at _____

☐ JURY VERDICT. (See signed verdict as to each defendant. ☐ FINDING BY COURT.

(1) Defendant _____ (2) Defendant _____

(3) Defendant _____ (4) Defendant _____

☐ Jury polled. ☐ Polling waived. ☐ Mistrial declared. ☐ Jury discharged.

☐ Motion after verdict.

JUDGMENT: ☐ Defendant guilty ☐ Defendant not guilty

☐ Court received Presentence Report.

☐ Copy of Presentence Report not requested.

☐ A copy of same was furnished to counsel pursuant to Rule 32 F.R.C.P.

☐ Defendant to remain on bond.

☐ Defendant remanded to custody.

☐ Court orders presentence report.

☐ Case continued until _____ 20__ at _____ for sentencing.

☐ SENTENCE IMPOSED

(Begin 9:06)

Juror roll called - all jurors present.

USA continues introduction of evidence.

(Recess 11:57 - Reconvene 1:05)

(In the presence of the jury)

USA continues introduction of evidence.

(Recess 2:54 - Reconvene 3:09)

USA evidence continues.

Court releases jurors to report tomorrow at 9:00.

(End 4:18)

(On the record: 4:28)

Out of the presence of the jury - Parties stipulate to admit USA's exhibits 58A, 68, 72, 74, 75, 76, and 77.

(End 4:31)

Total time in court: 5 hours, 50 minutes

Clerk: S. Sakalas